

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2012-139607-001 DT  
CR 2001-097576  
CR 2000-095009

01/25/2013

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT  
E. Rosel  
Deputy

STATE OF ARIZONA

KRISTIN SHERMAN

v.

JUSTIN OTIS MCMAHAN (001)

VICTORIA ELISABETH WASHINGTON  
GARRETT W SIMPSON

CAPITAL CASE MANAGER

ORAL ARGUMENT

2:54 p.m.

Courtroom SCT 6A

State's Attorney:	Kristin Sherman
Defendant's Attorney:	Garrett Simpson
Defendant:	Presence waived

Court Reporter, Laura Ashbrook, is present.

A record of the proceeding is also made by audio and/or videotape.

This is the time set for Oral Argument on Defendant's Motion to Dismiss the Death Penalty.

Argument is heard as to Defendant's Proposed Findings of Fact and Offer of Proof, Pursuant to Rule 103(c), Arizona Rules of Evidence.

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For the reasons set forth on the record,

IT IS ORDERED denying Defendant's Proposed Findings of Fact and Offer of Proof Pursuant to Rule 103(c), Arizona Rules of Evidence.

Argument is heard as to Defendants Motion to Dismiss the Death Penalty.

For the reasons set forth on the record,

IT IS ORDERED denying Defendant's Motion in part, as it relates to the equal protection issue.

IT IS FURTHER ORDERED that the parties shall file simultaneous briefs, no later than February 22, 2013, as it relates to Defendant's additional "narrowing" argument.

IT IS FURTHER ORDERED affirming **Capital Case Management Conference** (CR2012-139607-001) and **Non-Witness Violation Hearing** (CR2001-097576-A and CR2000-095009-A) set for **March 26, 2013 at 8:30 a.m.** before this Division.

IT IS FURTHER ORDERED affirming **Final Trial Management Conference** (CR2012-139607-001) and **Non-Witness Violation Hearing** (CR2001-097576-A and CR2000-095009-A) set for **July 25, 2013 at 8:30 a.m.** before this Division.

IT IS FURTHER ORDERED affirming **Trial** (CR2012-139607-001) and **Non-Witness Violation Hearing** (CR2001-097576-A and CR2000-095009-A) set for **August 25, 2013 at 8:00 a.m.** before this Division.

3:55 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.